Executive Summary – Enforcement Matter – Case No. 40610 SENTINEL PLATING, INC. dba Sentinel Plating RN100548569 Docket No. 2010-1759-IHW-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

IHW

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Sentinel Plating, 610 North 1st Street, Garland, Dallas County

Type of Operation:

Metal plating facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 24, 2012

Comments Received: No

Penalty Information

Total Penalty Assessed: \$60,500

Amount Deferred for Expedited Settlement: \$12,100 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$673 Total Due to General Revenue: \$47,727

Payment Plan: 11 payments of \$669 each followed by 24 payments of \$1,682 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average Site/RN - Average

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

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Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: June 9, 2010 Date(s) of NOE(s): October 4, 2010

Violation Information

- 1. Failed to update the Notice of Registration ("NOR") with all waste streams and waste management units. Specifically, the liquid wastes consisting of plating waste water, rinse water and floor wash water were not listed in the NOR. Also, the waste management units, including but not limited to, the evaporator tank, the drying pans, the container storage area, old vats, tanks with waste, and the dumpster were not listed in the NOR [30 Tex. Admin. Code § 335.6(b)].
- 2. Failed to clearly label all hazardous waste containers with the words "Hazardous Waste" and mark each container with the date on which the accumulation period began. Specifically, a TCEQ investigator documented the following containers without proper labeling: eight poly drums of waste in the rear of the Facility and five 5-gallon buckets of waste, and a 2,100 gallon evaporator tank [30 Tex. Admin. Code § 335.69(a)(2) and (3) and 40 Code of Federal Regulations ("CFR") § 262.34(a)(2) and (3)].
- 3. Failed to keep containers of hazardous waste closed except when adding or removing waste. Specifically, a TCEQ investigator documented eight open poly drums of waste in the rear of the Facility and two other containers that were open [30 Tex. Admin. Code §§ 335.112(a) and 335.69(a)(1)(A) and 40 CFR §§ 262.34(a)(1)(i) and 265.173(a)].
- 4. Failed to provide adequate secondary containment for a hazardous waste tank. Specifically, the 2,100 gallon evaporator tank did not have secondary containment [30 Tex. Admin. Code § 335.69(a)(1)(B) and 40 CFR § 265.193(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
- i. Update the Facility's NOR to accurately reflect all waste streams and waste management units at the Facility;

Executive Summary – Enforcement Matter – Case No. 40610 SENTINEL PLATING, INC. dba Sentinel Plating RN100548569 Docket No. 2010-1759-IHW-E

- ii. Develop and implement procedures to ensure that all containers storing hazardous waste are marked with a beginning accumulation date and the words "Hazardous Waste";
- iii. Develop and implement procedures to ensure that all containers of hazardous waste are kept closed except when adding or removing waste; and
- iv. Provide adequate secondary containment for the 2,100 gallon evaporator tank.
- b. Within 45 days, submit written certification demonstrating compliance.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEO Attorney: N/A

TCEQ Enforcement Coordinator: Mike Pace, Enforcement Division, Enforcement Team 6, MC R-04, (817) 588-5933; Debra Barber, Enforcement Division, MC 219,

(512) 239-0412

TCEO SEP Coordinator: N/A

Respondent: Phil E. Teeling, Jr., President, SENTINEL PLATING, INC., 610 North

1st Street, Garland, Texas 75040 **Respondent's Attorney:** N/A

Penalty Calculation Worksheet (PCW) PCW Revision October 30, 2008 Policy Revision 2 (September 2002) **TCEQ** Assigned 11-Oct-2010 Screening 18-Oct-2010 **EPA** Due PCW 18-Oct-2010 RESPONDENT/FACILITY INFORMATION Respondent SENTINEL PLATING, INC. dba Sentinel Plating Reg. Ent. Ref. No. RN100548569 Major/Minor Source Minor Facility/Site Region 4-Dallas/Fort Worth CASE INFORMATION No. of Violations 4 Enf./Case ID No. 40610 Docket No. 2010-1759-IHW-E Order Type 1660 Government/Non-Profit No Media Program(s) Industrial and Hazardous Waste Enf. Coordinator Mike Pace Multi-Media EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$60,500 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage \$0 Compliance History 0.0% Enhancement Subtotals 2, 3, & 7 No adjustment for compliance history. Notes \$0 Subtotal 4 0.0% Enhancement Culpability No The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 0.0% Enhancement* Subtotal 6 \$0 Economic Benefit Total EB Amounts Capped at the Total EB \$ Amount \$397 Approx. Cost of Compliance \$60,500 Final Subtotal SUM OF SUBTOTALS 1-7 \$0 OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment Reduces or enhances the Final Subtotal by the indicated percentage Notes

STATUTORY LIMIT ADJUSTMENT

PAYABLE PENALTY

Notes

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

DEFERRAL

\$60,500

\$60,500

-\$12,100

\$48,400

Final Penalty Amount

Adjustment

Final Assessed Penalty

Reduction

20.0%

Screening Date 18-Oct-2010

Docket No. 2010-1759-IHW-E

Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Respondent SENTINEL PLATING, INC. dba Sentinel Plating

Case ID No. 40610

Reg. Ent. Reference No. RN100548569

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Mike Pace

Component	Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	O	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	n	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	• 0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
TOTAL PROPERTY OF THE PROPERTY OF THE		ase Enter Yes or No	· [
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
J	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sul	ototal 2)
at Violator (aantaaa (Sub	statal 2)
No	Adjustment Per	centage (Sut	itutai 3)
Average Pe	erformer Adjustment Per	centage (Sub	itotai 7)
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Compliance History	No adjustment for compliance history.		minimization of contraction of contr

	ening Date		********************	t No. 2010-1759-IHW		PCW
	Respondent Case ID No.		NC. dba Sentinel Plating			2 (September 2002) Ion October 30, 2008
Reg. Ent. Rei					PCVV REVISI	on October 30, 2006
		Industrial and Hazardo	ous Waste			
	Coordinator					
Viol	ation Number	1				
	Rule Cite(s)		20.75	C 225 C(L)		
	Ì		30 Tex. Admin. Code	3 335.6(D)		

		Failed to update the	e Notice of Registration (("NOR") with all waste s	streams and	
			nits. Specifically, the liq			
Violatio	n Description		and floor wash water we units, including but not			77
			ontainer storage area, o			
			dumpster were not liste	ed in the NOR.		
-						
					Base Penalty	\$10,000
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	Release	Ha Major Mode				
OR	Actual	Tajor Frode	2.1446			
	Potential			Percent	0%	
>>Programma	tic Matrix Falsification	Major Mode	erate Minor			
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Matrix		1000% 061	the rule requirement was	c not met		waa
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				Adjustment	\$9,000	
						\$1,000
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	Number of \	/iolation Events)	Number of violat	ion davs	
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		annual				
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			*	******************************		
						\$0
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		Ordinary				9
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		The Re	spondent does not meel	t the good faith criteria	for	-
		Notes	this viola			
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				violat	tion Subtotal	\$9,000
Economic Bene	fit (EB) for	this violation		Statutory Li	mit Test	
	Fetimate	ed EB Amount	\$5]	Violation Final F	Penalty Total	\$9,000
	Lacinati				-	
		Thi	is violation Final Asse	ssed Penalty (adjuste	ed for limits)	\$9,000

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commas or \$	Required	Final Date	0.00	\$0 \$0	\$0	
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	ening Date		Docket No. 2010-1759-IHW-E	PCW
			IC. dba Sentinel Plating	Policy Revision 2 (September 2002)
Reg. Ent. Rel	Case ID No.			PCW Revision October 30, 2008
		Industrial and Hazardo	auc Wacte	
	a (Statute) Coordinator		rus waste	
	ation Number			
	Rule Cite(s)	30 Tex. Admin. Code	§ 335.69(a)(2) and (3) and 40 Code of Federal Re-	gulations
			("CFR") § 262.34(a)(2) and (3)	
		F-11-14 - 10-14-121-1	ar un a construir de la constr	
			I all hazardous waste containers with the words "Ha ch container with the date on which the accumulation	
101-1-11-			, a TCEQ investigator documented the following con	
Violatio	n Description		ng and/or a beginning accumulation storage date: e	
		drums of waste in the	rear of the Facility and five 5-gallon buckets of was 2,100 gallon evaporator tank.	ste, and a
			2,100 ganori evaporacoi caric.	***
		<u>L</u>		
			Bas	e Penalty \$10,000
>> Environme	ntal, Proper	ty and Human He	alth Matrix	
	Release	Har Major Mada		
OR	Actual	Major Mode	rate Minor	
J.,	Potential		Percent 0%	
>>Programma				
	Falsification	Major Mode	rate Minor Percent 10%	
	L	<u> </u>	Percent 10%	
Matrix		100% of t	he rule requirement was not met.	
Notes				
	L.			
			Adjustment	\$9,000
				\$1,000

Violation Event	S			
	Number of \	/iolation Events 14	14 Number of violation	davs
	ivamber of v	TOTALION, EVENTOS	Learning Control of the Control of t	,-
		dally		
		weekly	20072220007	
	mark only one	monthly	Violeties Bee	e Penalty \$14,000
	with an x	quarterlysemiannual	Violation Base	e Penalty \$14,000
		annual		
		single event x		
			one of the state o	
	Fourte	en single events are rec	commended (one event for each unlabeled container	*)•
	L			
Good Faith Effo	orts to Comi	oly (0.0% Reduction	\$0
	Stantabantistakantintika nemenen en∎	Before		
		Extraordinary		
		Ordinary		
		N/A X	(mark with x)	
		The Re	spondent does not meet the good faith criteria for	
		Notes	this violation.	
		<u> </u>		
			Violation	Subtotal \$14,000
Economic Bene	fit (EB) for	this violation	Statutory Limit	Test
		ed EB Amount	\$8 Violation Final Pena	alty Total \$14,000
	Latinati	Europe production and deconposition of the control		
		Th	is violation Final Assessed Penalty (adjusted fo	or limits) \$14,000

Case ID No.	SENTINEL PLA 40610	conomic l	460 04 6564 000 4 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	Wo	rksheet		
Reg. Ent. Reference No. Media Violation No.	Industrial and) Hazardous Waste				Percent Interest	Years of Depreciation
						5.0	15
Item Description		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$150	9-Jun-2010	18-Jun-2011	0.00	\$0 \$8	n/a n/a	\$0 \$8
Notes for DELAYED costs	Estimated cos				te containers. The expected complia	e date required is th	e investigation
		4414 4	nu the imai uat	e is the	expected compile	nice date.	
Avoided Costs	ANNUAL					for one-time avoid	ed costs)
Avoided Costs Disposal	ANNUAL			enterir 0.00	ng item (except) \$0	for one-time avoid	\$0
	ANNUAL			0.00 0.00	ng item (except) \$0 \$0	for one-time avoid \$0 \$0	\$0 \$0
Disposal Personnel	ANNUAL			0.00 0.00 0.00	so so so so so so so so	for one-time avoid \$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL			0.00 0.00 0.00 0.00	s0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00 0.00 0.00 0.00 0.00	so s	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	so s	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00 0.00 0.00 0.00 0.00	so s	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL			0.00 0.00 0.00 0.00 0.00 0.00	so s	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0

Screening Date	18-Oct-2010 Docket No. 2010-1759-IHW-E	PCW
Respondent	SENTINEL PLATING, INC. dba Sentinel Plating	Policy Revision 2 (September 2002)
Case ID No.		PCW Revision October 30, 2008
Reg. Ent. Reference No.		
Media [Statute]	Industrial and Hazardous Waste	
Enf. Coordinator	Mike Pace	
Violation Number		
Rule Cite(s)		R §§
	262.34(a)(1)(i) and 265.173(a)	
Violation Description	Failed to keep containers of hazardous waste closed except when add removing waste. Specifically, a TCEQ investigator documented eight of drums of waste in the rear of the Facility and two other containers that w	pen poly
	Bas	e Penalty \$10,000
>> Environmental, Proper	ty and Human Health Matrix	
Dalassa	Harm Madagata Minaga	
Release OR Actual	Major Moderate Minor	
OR Actual Potential	Y Percent 25%	
Foterida		
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	Percent 0%	
Lance to the same of the same		Projection of the control of the con
H	or the environment will or could be exposed to pollutants which would exc	
Notes that are p	rotective of human health or environmental receptors as a result of the viol	adorr.
<u> </u>		:
	Adjustment	\$7,500
		+2.50
		\$2,500
iolation Events		
iolation Events		
Number of \	/iolation Events 10 Number of violation	days
	Encoderation reprints a proper and provide in the second s	
	daily	
	weekly	
manufa anticana	monthly seems to the seems to t	
mark only one with an x	quarterly Violation Base	e Penalty \$25,000
2	semlannual	
	annual	
	single event x	
(Personal personal pe		
War 2	on chala diverte per engammentad (one avert for each cook contained	
0.	en single events are recommended (one event for each open container).	
L		المستحصي
ood Faith Efforts to Comp	0.0% Reduction	\$1
ood raith Enorts to comp	Before NOV NOV to EDPRP/Settlement Offer	1
	Extraordinary	
	Ordinary	
	N/A x (mark with x)	
	The Respondent does not meet the good faith criteria for	
	this violation.	
	Violation	Subtotal \$25,000
		~
onomic Benefit (EB) for	this violation Statutory Limit	rest
** - A		alty Total \$25,000
	ad ER Amount! ©76! Violation Final Dona	
Estimate	ed EB Amount \$26 Violation Final Pena	11ty Total 925,000
Estimate	This violation Final Assessed Penalty (adjusted for	
Estimate	Contrasponente con de contraspone un de des des accessorantes des des des propositions de la contrasponente de la	

	E!	conomic	Benefit	Wo	rksheet		
Respondent	SENTINEL PLA	TING, INC. dba S	entinel Plating				
Case ID No.							
eg. Ent. Reference No.	RN100548569						
Media	Industrial and	Hazardous Waste	!			Percent Interest	Years of
Violation No.	3					Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
	ng tommas of a					42,000,000,000,000	81) 71 July 142 (1836) 888
Delayed Costs							
Delayeu Costs Equipment	F	ı — i		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)		I		0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	l n/a l	\$0
						 	
Permit Costs				0.00	\$0	n/a	\$0
	\$500 Estimated of	9-Jun-2010		0.00 1.02	\$0 \$26	n/a n/a	\$0 \$26
Permit Costs Other (as needed) Notes for DELAYED costs	Estimated co adding or rer	ost to develop and noving waste. Th	I implement pro e date required co	0.00 1.02 cedure is the mplian	\$0 \$26 s to ensure that c investigation date ce date.	n/a n/a ontainers are closed and the final date is	\$0 \$26 except when the expected
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated co adding or rer	ost to develop and noving waste. Th	I implement pro e date required co	0.00 1.02 cedure is the mplian	\$0 \$26 s to ensure that c investigation date ce date. ng item (except	n/a n/a ontainers are closed and the final date is for one-time avoid	\$0 \$26 except when the expected
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated co adding or rer	ost to develop and noving waste. Th	I implement pro e date required co	0.00 1.02 cedure is the implian enterin 0.00	\$0 \$26 s to ensure that c investigation date ce date. ng item (except \$0	n/a n/a ontainers are closed and the final date is for one-time avoid	\$0 \$26 except when the expected
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co adding or rer	ost to develop and noving waste. Th	I implement pro e date required co	0.00 1.02 cedure is the mplian enterir 0.00 0.00	\$0 \$26 s to ensure that c investigation date ce date. ng item (except \$0 \$0	n/a n/a ontainers are closed and the final date is for one-time avoid \$0 \$0	\$0 \$26 except when the expected led costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated co adding or rer	ost to develop and noving waste. Th	I implement pro e date required co	cedure is the implian enterin 0.00 0.00 0.00	\$0 \$26 s to ensure that c investigation date ce date. ng item (except \$0 \$0	n/a n/a ontainers are closed and the final date is for one-time avoid \$0 \$0 \$0	\$0 \$26 except when the expected led costs) \$0 \$0 \$0
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		18-Oct-2010	Docket No. 2010-1759		PCW
	spondent se ID No.	SENTINEL PLATING, INC. dba \$	Sentinel Plating		2 (September 2002) on October 30, 2008
Reg. Ent. Refer				PCW KEVISH	on October 50, 2000
		Industrial and Hazardous Wast	e		
	ordinator	Mike Pace			
	on Number lule Cite(s)	4			
Α.	uie Cite(s)	30 Tex. Admin. Code	§ 335.69(a)(1)(B) and 40 CFR § 2	265.193(a)	
				davis wasta tank	
Violation [Description		secondary containment for a hazar evaporator tank did not have secor		
			en e		
				Base Penalty	\$10,000
> Environmenta	al, Proper	y and Human Health M Harm	atrix		
	Release	Major Moderate	Minor		
OR	Actual		Percent	25%	
	Potential	X	Percent	2570	
>Programmatic	: Matrix				
F	Falsification	Major Moderate	Minor Percent	0%	
			Percent	U 70	
Matrix H Notes			d be exposed to pollutants which vivironmental receptors as a result of		* .
Notes	triot are pr	Acceive of namor nearth of en	The state of the s		
			Adjustment	\$7,500	
				£	+3.500
				· .	\$2,500
olation Events					
	Number of Vi	olation Events 5	Number of	violation days	
	Number of v	olation Events 5	L. 151 Number of	violation days	
	I	dally			
		weekly			
·	nark only one	monthly x quarterly	Viola	tion Base Penalty	\$12,500
	with an x	semiannual		- Emploomen	
		annual			
	1	single event			•
[Five menthly	avents are recommended from	n the June 9, 2010 investigation to	the October 18	
	rive monuny		creening date.	, the October 10,	

-		a a construir de la compansión de la compa	eduction		
	s to Comp	ly 0.0% R			\$(
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	t (EB) for	Ordinary N/A Notes Before NOV Notes	ov to EDPRP/Settlement Offer nark with x) Int does not meet the good faith crit this violation. Statutor	/iolation Subtotal	\$12,500
ood Faith Effort	t (EB) for	Ordinary N/A X (n Notes The Responder	nark with x) Int does not meet the good faith critical this violation.	/iolation Subtotal y Limit Test	\$12,500 \$12,500 \$12,500

eg. Ent. Reference No. Media Violation No.	Industrial and	Hazardous Waste				Percent Interest	Years of Depreciation
Violation Ro.	7					5.0	. 1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
१९ १४६ १४४ १५ ५ १८ ४० - ० । १९ १६६ व्हारा स्वास्त्राहरू स्थाप १५०० ४० ४० ४० ००० ००० ००० ४० ४० ४० ४० ४० ४			100000000000000000000000000000000000000	10-16-5 1-0-10-10-6-11-1			
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$5,000	9-Jun-2010	18-Jun-2011	1.02	\$17	\$342	\$359
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
. Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	l n/a l	\$0
		بالمستنصيص ومستحد ومستنصب والر					
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	Estimated			0.00 0.00 nment	\$0 \$0 for the evaporator	n/a n/a tank. The date req	\$0 \$0
Other (as needed) Notes for DELAYED costs		investigation d	ate and the fina	0.00 0.00 nment	\$0 \$0 for the evaporator is the estimated d	n/a n/a tank. The date req ate of compliance.	\$0 \$0 uired is the
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Compliance History Report

Customer/	Respondent/Owner-Operator:	CN600259600	SENTINEL PLATING, INC	•	Rating: 3.01
Regulated	Entity:	RN100548569	Sentinel Plating	Classification: AVERAGE	Site Rating: 3.01
ID Number	r(s):		D HAZARDOUS WASTE D HAZARDOUS WASTE	EPA ID SOLID WASTE REGISTRATION # (SWR)	TXD055331714 35667
		STORMWATER AIR NEW SOUR	CE PERMITS	PERMIT ACCOUNT NUMBER	TXRNEW407 DB0721E
Location:		610 N 1ST ST, GA	ARLAND, TX, 75040		
TCEQ Reg	gion:	REGION 04 - DFV	V METROPLEX		
Date Com	pliance History Prepared:	October 25, 2010			
Agency De	ecision Requiring Compliance History:	Enforcement			
Compliance Period:		October 25, 2005	to October 25, 2010		-
TCEQ Sta	ff Member to Contact for Additional Info	mation Regarding th	is Compliance History		
Name:	Mike Pace	Pho	ne: (817) 588-5933		
		Site Co	ompliance History Com	ponents	
1. Has the	site been in existence and/or operation		-	Yes	
	re been a (known) change in ownership	· · · · · · · · · · · · · · · · · · ·	•		
3. If Yes, v	who is the current owner/operator?			N/A	
4. If Yes,	who was/were the prior owner(s)/opera	tor(s)?	•	N/A	
5. When	did the change(s) in owner or operator o	occur?		N/A	
6. Rating	Date: 9/1/2010 Repeat Violator:	NO			
-	ents (Multimedia) for the Site :		areas of the Chate of Tours		
Α.	Final Enforcement Orders, court judgme N/A	ents, and consent de	crees of the State of Texas	and the lederal government.	
B.	Any criminal convictions of the state of	Texas and the federa	al government.		
	N/A				
C.	Chronic excessive emissions events.				
	N/A				
D.	The approval dates of investigations. (C	CEDS Inv. Track. No	0.)		
	10/05/2010 (8266	99)			
E.	Written notices of violations (NOV). (CC N/A	EDS Inv. Track. No.)		
F.	Environmental audits.				
• •	N/A				
G.	Type of environmental management sys	stems (EMSs).			
	N/A				
Н.	Voluntary on-site compliance assessme	nt dates.			
	N/A				
1.	Participation in a voluntary pollution red	uction program.			
	N/A				
J. 1	Early compliance.				
	N/A				

Sites Outside of Texas N/A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
SENTINEL PLATING, INC.	§	
DBA SENTINEL PLATING	§	
RN100548569	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2010-1759-IHW-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding SENTINEL PLATING, INC. dba Sentinel Plating ("the Respondent") under the authority of Tex. Health & Safety Code ch. 361 and Tex. Water Code ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a metal plating facility at 610 North 1st Street in Garland, Dallas County, Texas (the "Facility").
- 2. The Respondent involves or involved the management of Industrial Hazardous Waste ("IHW") defined in Tex. Health & Safety Code ch. 361.
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 9, 2010.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Sixty Thousand Five Hundred Dollars (\$60,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Six Hundred Seventy-Three Dollars (\$673) of the administrative penalty and Twelve Thousand One Hundred Dollars (\$12,100) is

deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Forty-Seven Thousand Seven Hundred Twenty-Seven Dollars (\$47,727) of the administrative penalty shall be payable in 11 monthly payments of Six Hundred Sixty-Nine Dollars (\$669) followed by 24 monthly payments of One Thousand Six Hundred Eighty-Two Dollars (\$1,682) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to update the Notice of Registration ("NOR") with all waste streams and waste management units, in violation of 30 Tex. Admin. Code § 335.6(b), as documented during an investigation conducted on June 9, 2010. Specifically, the liquid wastes consisting of plating waste water, rinse water and floor wash water were not listed in the NOR. Also, the waste management units, including but not limited to, the evaporator tank, the drying pans, the container storage area, old vats, tanks with waste, and the dumpster were not listed in the NOR.

- 2. Failed to clearly label all hazardous waste containers with the words "Hazardous Waste" and mark each container with the date on which the accumulation period began, in violation of 30 Tex. Admin. Code § 335.69(a)(2) and (3) and 40 Code of Federal Regulations ("CFR") § 262.34(a)(2) and (3), as documented during an investigation conducted on June 9, 2010. Specifically, a TCEQ investigator documented the following containers without proper labeling: eight poly drums of waste in the rear of the Facility and five 5-gallon buckets of waste, and a 2,100 gallon evaporator tank.
- 3. Failed to keep containers of hazardous waste closed except when adding or removing waste, in violation of 30 Tex. ADMIN. CODE §§ 335.112(a) and 335.69(a)(1)(A) and 40 CFR §§ 262.34(a)(1)(i) and 265.173(a), as documented during an investigation conducted on June 9, 2010. Specifically, a TCEQ investigator documented eight open poly drums of waste in the rear of the Facility and two other containers that were open.
- 4. Failed to provide adequate secondary containment for a hazardous waste tank, in violation of 30 Tex. Admin. Code § 335.69(a)(1)(B) and 40 CFR § 265.193(a), as documented during an investigation conducted on June 9, 2010. Specifically, the 2,100 gallon evaporator tank did not have secondary containment.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: SENTINEL PLATING, INC. dba Sentinel Plating, Docket No. 2010-1759-IHW-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Update the Facility's NOR to accurately reflect all waste streams and waste management units at the Facility, in accordance with 30 Tex. ADMIN. CODE § 335.6;

- ii. Develop and implement procedures to ensure that all containers storing hazardous waste are marked with a beginning accumulation date and the words "Hazardous Waste", in accordance with 30 Tex. Admin. Code § 335.69(a)(2), and 335.69(a)(3) and 40 CFR § 262.34(a)(2) and 262.34(a)(3);
- iii. Develop and implement procedures to ensure that all containers of hazardous waste are kept closed except when adding or removing waste, in accordance with 30 Tex. ADMIN. CODE §§ 335.112(a) and 335.69(a)(1)(A) and 40 CFR §§ 262.34(a)(1)(i) and 265.173(a); and
- iv. Provide adequate secondary containment for the 2,100 gallon evaporator tank, in accordance with 30 Tex. Admin. Code § 335.69(a)(1)(B) and 40 CFR § 265.193(a).
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.a.iv. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Waste Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Drive Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which together 7. shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive In this paragraph exclusively, the terms "electronic Director deems acceptable. transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Polo Hyde	3/7/12
For the Executive Director	/ Date
I, the undersigned, have read and understand tagree to the attached Agreed Order on behalf of tagree to the terms and conditions specified the accepting payment for the penalty amount, is materially a understand that failure to comply with the failure to timely pay the penalty amount, may reserve to the Anegative impact on compliance history; Greater scrutiny of any permit application Referral of this case to the Attorney Greaters	the entity indicated below my signature, and I do brein. I further acknowledge that the TCEQ, in terially relying on such representation. Ordering Provisions, if any, in this order and/or ult in:
additional penalties, and/or attorney fees,	or to a collection agency;
	l's Office of any future enforcement actions; and
 TCEQ seeking other relief as authorized by In addition, any falsification of any compliance do 	
Signature July	1/6/20/2 Date
Philé Teeling J.	Pres
Name (Printed or typed)	Title
Authorized Representative of SENTINEL PLATING, INC. dba Sentinel Plating	
Instructions : Send the original, signed Agreed Order with Revenues Section at the address in Section IV, Paragraph 1 o	

JAN 1 1 2012